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Attorneys for Defendant

18 SPHERION ATLANTIC ENTERPRISES, LLC, sued herein as
19 SPHERION PACIFIC WORKFORCE, LLC

20 UNITED STATES DISTRICT COURT

21 NORTHERN DISTRICT OF CALIFORNIA

22 VALERIE D. WATSON-SMITH, AND ALL
OTHER SIMILARLY SITUATED,

23 Plaintiff,

24 v.

25 SPHERION PACIFIC WORKFORCE, LLC,
26 and DOES 1 through 100, inclusive

27 Defendant.

Case No. C 07 05774 JSW

28 **SECOND STIPULATION AND**
~~PROPOSED~~ ORDER TO CONTINUE
EARLY NEUTRAL EVALUATION
CONFERENCE

(NORTHERN DISTRICT LOCAL
RULE 5-5)

STIPULATION AND ~~PROPOSED~~ ORDER TO CONTINUE EARLY NEUTRAL EVALUATION CONFERENCE

1 On February 6, 2008, Judge White referred this matter to Early Neutral Evaluation
2 ("ENE"). The parties (defendant Spherion Atlantic Enterprises, LLC and Plaintiff Valerie
3 Watson-Smith) were initially assigned a deadline of May 8, 2008 to complete the ENE. The
4 parties held a pre-ENE telephone conference with assigned evaluator Sandra McCandless on
5 May 5, 2008. During the pre-ENE telephone conference, the parties and the evaluator discussed
6 the status of this pending action, and the fact that there were ongoing discovery disputes
7 regarding the scope of the putative classes in the action. Evaluator McCandless voiced her
8 concern that proceeding with the ENE at this stage of the litigation may not be beneficial to the
9 parties due to the pending disputes and uncertainty regarding the scope of the putative classes.
10 The parties and Ms. McCandless agreed that it would be more beneficial to continue the deadline
11 for completing the ENE for six additional months so the parties would be in a better position to
12 analyze their respective positions and prepare for the evaluation. Ms. McCandless suggested,
13 and the parties agreed, that the parties should request that the Court continue the deadline for
14 completing the ENE six months. On May 12, 2008, the Court extended the deadline to
15 November 7, 2008.

16 On October 24, 2008, the parties and Ms. McCandless held a second pre-ENE telephone
17 conference. As with the previous conference, the parties and Ms. McCandless agreed that due to
18 the case's posture, the ENE at this stage of the litigation would not be beneficial to the parties.
19 Specifically, due to the pending Motion to Amend the Pleadings and Motion to Compel currently
20 before the court, the parties and Ms. McCandless agreed that the parties should request that the
21 Court continue the deadline for completing the ENE for four additional months.

22 **IT IS STIPULATED AS FOLLOWS:**

23 The deadline for completing the ENE in this matter shall be continued from November 7,
24 2008 to March 6, 2009. The parties have met and conferred and agree that the continuance of the
25 ENE is justified, due to the unresolved discovery disputes and uncertainties regarding the scope
26 of the putative classes in the case.

1 **IT IS SO STIPULATED.**

2 DATED: November 7, 2008

SEYFARTH SHAW LLP

3
4 By /s/ Alfred L. Sanderson, Jr.
 Alfred L. Sanderson Jr.
 Anthony J. Musante
5 Attorneys for Defendant SPHERION
6 ATLANTIC ENTERPRISES, LLC

7
8 DATED: November 7, 2008

QUALLS AND WORKMAN, LLP

9 By /s/ Daniel H. Qualls
 Daniel H. Qualls
10 Attorney for Plaintiff Valerie Watson-Smith,
11 and all others similarly situated.

12
13
14 **ORDER**

15 The Stipulation of the Parties is adopted by the Court.

16 **IT IS SO ORDERED.**

17
18 DATED: November 10, 2008


District Judge Jeffrey S. White